

1639/100
B61 Sep

**ATTORNEY'S DOCKET NUMBER: 2003390-0001 (ROBIC 29313-0001)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lanctot, et al. Examiner: Epperson, Jon D
Serial No.: 09/641,931 Art Unit: 1639
Filed: August 18, 2000
For: NUCLEIC ACID MOLECULE, METHOD AND KIT FOR SELECTING A
NUCLEIC ACID HAVING A DESIRED FEATURE

U.S. Patent and Trademark Office
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Sir:

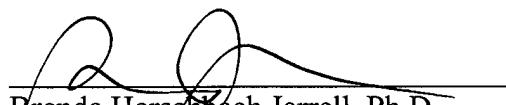
TRANSMITTAL LETTER

Enclosed herewith are the following:

1. Transmittal Letter (1 page);
2. Preliminary Amendment (5 pages);
3. Petition for Extension of Time Under 37 CFR 1.136 (1 page);
4. Amendment Introducing Sequence Listing (1 page);
5. Statement Under 37 C.F.R. §1.821 (1 page);
6. Paper copy of Sequence Listing (13 pages);
7. Notice to Comply with Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
8. Computer-readable diskette copy of the Sequence Listing; and
9. Return Postcard.

Please charge any other fees that may be associated with this matter, or credit any overpayments, to our Deposit Account No. 03-1721.

Respectfully submitted,



Brenda Herschbach Jarrell, Ph.D.
Registration Number: 39,223

ATTORNEYS FOR APPLICANT
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Tel: 617 248 5000
Date: 4/3/03

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I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202	
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/641,931	08/18/2000	Christian Lanctot	2003390-0001	7406

7590 02/12/2003

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EXAMINER

EPPERSON, JON D

ART UNIT

PAPER NUMBER

1639

DATE MAILED: 02/12/2003

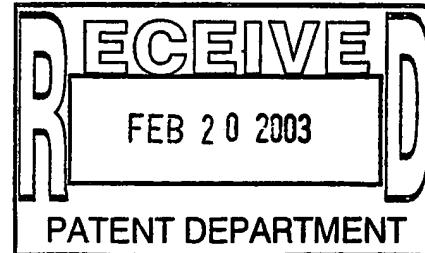
Please find below and/or attached an Office communication concerning this application or proceeding.

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Seq. Lst.
Due 3-12-03
Final 8-12-03

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/641,931	8/18/2000	Christian Lanctot	2003390-0001

EXAMINER	
Jon D. Epperson, Ph. D.	
ART UNIT	PAPER NUMBER
1639	19

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Notice To Comply: Sequence Rules (Bonafide)

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the following reason(s): No SEQ ID No. For sequence at page 33, line 21. Please also amend claim 43 to include the SEQ ID Nos. in the claim. Please also re-check the entire specification for compliance. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN A ONE MONTH EXTENDABLE PERIOD WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in **ABANDONMENT** of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Bio

(<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>>), EFS Submission User Manual - ePAK

2. Mailed to:

U.S. Patent and Trademark Office

Box Sequence, P.O. Box 2327

Arlington, VA 22202

Any inquiry concerning this communication should be directed to Jon D. Epperson whose telephone number is (703) 308-2423. The Examiner can normally be reached on Monday through Friday from 9 am to 6 pm. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Wang, can be reached at (703) 306-3217. The fax number for this group is (703) 305-3014. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 308-0196.

JON D. EPPERSON, Ph.D.

PATENT EXAMINER


PADMASHRI PONNALURI
PRIMARY EXAMINER

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APR 08 2003

Application No.: 09/641,931

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: Specification does not comply: See page 33, line 21. Also please amend claim 43 to include Seq ID Nos. and re-check the entire specification for compliance.

Applicant Must Provide:

- An initial or **substitute** computer readable form (CRF) copy of the "Sequence Listing".
- An initial or **substitute** paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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